



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 6, 2021

BY ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Stephen M. Calk*, 19 Cr. 366 (LGS)

Dear Judge Schofield:

The Government writes in advance of oral argument on the defendant's renewed motion to transfer venue to the Northern District of Illinois (Dkt. 131), currently scheduled for January 7, 2021 at 11:30 a.m., in order to advise the Court of certain developments relevant the Motion.

First, in light of the COVID-19 pandemic, all jury trials in the Northern District of Illinois are suspended until at least March 1, 2021. *See* General Order 20-0033, In Re: Suspension of Jury Trials During Coronavirus COVID-19 Public Emergency, *available at* https://www.ilnd.uscourts.gov/_assets/_documents/_forms/_clerksoffice/rules/admin/pdf-orders/General%20Order%2020-0033%20-%20Suspension%20of%20Jury%20Trials%20Until%20March%202021.pdf. Based on conversations with an Assistant United States Attorney in the Northern District of Illinois, the Government has learned that there is currently a significant backlog of cases that are ready for trial and that, when trials resume, priority is expected to be given to defendants who are in custody and who already have trials scheduled in that District.

Second, the Government has learned that counsel for several current and former employees of The Federal Savings Bank (the "Employees") intends to file a motion to quash the trial subpoenas that the Government has served on the Employees, and expects to file that motion by this Friday, January 8, 2021. The Government understands that the motion will be based,

among other things, on the Employees' concerns with respect to appearing to testify during the COVID-19 pandemic, although the Government has not yet seen the motion.

Respectfully submitted,

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cc: Counsel of Record (via ECF)